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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,369	11/19/2003	Sundeep M. Bajikar	1020.P17644	9547
Kacvinsky LLC c/o Intellevate P.O. Box 52050 Minneapolis, MN 55402			EXAMINER TO, BAOTRAN N	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 07/23/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,369

Applicant(s)

BAJIKAR ET AL.

Examiner

Bao Tran N. To

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/25/2008 (RCE).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s) Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s) Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/25/2008 has been entered.

This Office action is responsive to Applicant's Amendment filed 04/25/2008.

Claims 1, 5, 11, 16, and 20 are amended.

Claims 1-29 are pending in the application.

Response to Arguments

2. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 1 and 11 are objected to because of the following informalities: "SIM" and "AAA" in claims 1 and 11 must be spelled out. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalavade et al. (U.S. Patent Application Publication 2003/0051041 A1) hereinafter Kalavade in view of Gregg et al. (U.S. Patent Application Publication 2003/0046589 A1) hereinafter Gregg.

Regarding Claims 1 and 11, Kalavade discloses a method comprising:
establishing a protected communications channel (SSL) with a computing system (Figure 1, paragraph 0409), the computing system providing SIM AAA capabilities without use of a discrete hardware SIM device (paragraphs 0103 and 0110-0111); and
provisioning SIM secret data (login/password information) to the computing system over the protected communications channel (paragraphs 0109- 0124 and 149).

Kalavade further discloses providing access to memory by using AAA capabilities (paragraph 0103) but does not disclose a trusted environment in an open platform of a computer system and providing access to a trusted environment in an open platform.

However, Gregg expressly discloses a trusted environment in an open platform of a computer system and providing access to a protected memory by said open platform (Figure 25, paragraphs 0099-0101).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gregg's invention within Kalavade to include a trusted environment in an open platform of a computer system and providing access to a protected memory by said open platform. One of ordinary skill in the art would have been motivated to do this because it would provide enhanced security.

Regarding Claim 5, Kalavade discloses a method comprising:
using SIM capabilities provided by a computing system without a discrete hardware SIM device for user authorization (paragraphs 0103 and 0110-0111), authentication and accounting in association with a subscription account (paragraph 0063); and

providing a subscription account for access by the computing system (paragraph 0180).

Kalavade does not disclose providing access to a trusted environment in an open platform of a computer system.

However, Gregg expressly discloses providing access to a trusted environment in an open platform of a computer system (Figure 25, paragraphs 0099-0101).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gregg's invention within Kalavade to

include providing access to a trusted environment in an open platform of a computer system. One of ordinary skill in the art would have been motivated to do this because it would provide enhanced security.

Regarding Claim 16, Kalavade discloses a method comprising:

authenticating and authorizing a user of a subscription account at least in part by using Subscriber Identity Module (SIM) compliant authentication and authorization capabilities on a computing system that provides the SIM-compliant authentication and authorization capabilities without use of a discrete SIM hardware device (paragraphs 0103 and 0110-0111); and

providing user access to the subscription account upon receipt of predetermined credentials (paragraph 0103).

Kalavade does not disclose a trusted environment in an open platform of a computer system.

However, Gregg expressly discloses a trusted environment in an open platform of a computer system (Figure 25, paragraphs 0099-0101).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gregg's invention within Kalavade to include a trusted environment in an open platform of a computer system. One of ordinary skill in the art would have been motivated to do this because it would provide enhanced security.

Regarding Claim 20, Kalavade discloses an apparatus comprising:
a server having access to a network (Figure 1, element 10); and
a provisioning module stored on the server, the provisioning module, when executed by the provisioning server, to participate in provisioning Subscriber Identity Module (SIM) secret data to a computing system, the computing system to provide SIM-compliant authentication, authorization and accounting capabilities without use of a discrete hardware SIM device (paragraphs 0103 and 0110-0111).

Kalavade does not disclose a trusted environment in an open platform of a computer system.

However, Gregg expressly discloses a trusted environment in an open platform of a computer system (Figure 25, paragraphs 0099-0101).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gregg's invention within Kalavade to include a trusted environment in an open platform of a computer system. One of ordinary skill in the art would have been motivated to do this because it would provide enhanced security.

Regarding Claims 2 and 12, Kalavade and Gregg disclose the limitations of Claim 1 above. Kalavade further discloses wherein provisioning SIM secret data includes provisioning at least one of identity secrets, key secrets, information to initialize data objects, information to initialize operator-specific cryptography algorithms, and

information to install or update applications, parameters, tools or utilities (paragraph 0409).

Regarding Claims 3 and 14, Kalavade and Gregg disclose the limitations of Claim 1 above. Kalavade further discloses wherein establishing a protected communications channel includes using a protected key exchange mechanism (paragraph 0236).

Regarding Claims 4 and 13, Kalavade and Gregg disclose the limitations of Claim 1 above. Kalavade further discloses wherein provisioning SIM secret data includes encrypting the SIM secret data (paragraph 0174).

Regarding Claim 6, Kalavade and Gregg disclose the limitations of Claim 5 above. Kalavade further discloses wherein providing the subscription account includes providing a wireless network access account (paragraph 0176).

Regarding Claim 7, Kalavade and Gregg disclose the limitations of Claim 6 above. Kalavade further discloses wherein using SIM capabilities provided by a computing system includes using SIM capabilities provided by a laptop computing system (Figure 1, element 16).

Regarding Claim 8, Kalavade and Gregg disclose the limitations of Claim 5 above. Kalavade further discloses 5 wherein providing the subscription account includes providing a wired network access account (paragraphs 0176 and 0444).

Regarding Claim 9, Kalavade and Gregg disclose the limitations of Claim 5 above. Kalavade further discloses wherein using SIM capabilities includes using a protected execution environment provided by a laptop computing system (paragraphs 0176 and 0277).

Regarding Claim 10, Kalavade and Gregg disclose the limitations of Claim 5 above. Kalavade further discloses wherein providing the subscription account includes providing location-based services (paragraph 0364).

Regarding Claim 15, Kalavade and Gregg disclose the limitations of Claim 11 above. Kalavade further discloses wherein establishing a protected communications channel includes receiving authentication information from the computing system (paragraph 0410).

Regarding Claim 17, Kalavade and Gregg disclose the limitations of Claim 16 above. Kalavade further discloses wherein providing user access to the subscription account includes providing user access to a wireless network account (paragraph 0018).

Regarding Claim 18, Kalavade and Gregg disclose the limitations of Claim 17 above. Kalavade further discloses wherein providing user access to wireless network account includes providing access to one of a GSM/GPRS network, a 3G network and a Personal Handyphone Network (paragraph 0059).

Regarding Claim 19, Kalavade and Gregg disclose the limitations of Claim 16 above. Kalavade further discloses wherein providing user access to the subscription account includes providing user access to a location-based services account (paragraph 0018).

Regarding Claim 21, Kalavade and Gregg disclose the limitations of Claim 20 above. Kalavade further discloses wherein the network is one of a GSM/GPRS, 3G, Personal Handyphone System (PHS) and a CDMA network (paragraph 0059).

Regarding Claim 22, Kalavade and Gregg disclose the limitations of Claim 20 above. Kalavade further discloses wherein the network is a wireless network (Figure 1, paragraph 0095).

Regarding Claim 23, Kalavade and Gregg disclose the limitations of Claim 20 above. Kalavade further discloses wherein the network is a wired network (Figure 1, paragraph 0095).

Regarding Claim 24, Kalavade and Gregg disclose the limitations of Claim 20 above. Kalavade further discloses wherein the provisioning module, when executed by the server, further operates to encrypt the SIM secret data to be provided to the computing system (paragraph 0210).

Regarding Claim 25, Kalavade and Gregg disclose the limitations of Claim 24 above. Kalavade further discloses wherein the provisioning module, when executed by the server, further operates to participate in a bilateral key exchange with the computing system over the network (paragraph 0236).

Regarding Claim 26, Kalavade and Gregg disclose the limitations of Claim 20 above. Kalavade further discloses wherein the computing system is further to store the SIM secret data in an encrypted format on a mass storage device of the computing system (paragraph 0217).

Regarding Claim 27, Kalavade and Gregg disclose the limitations of Claim 27 above. Kalavade further discloses wherein the computing system is further to store an encrypted bulk encryption key to be used to decrypt the encrypted SIM secret data (paragraph 0210).

Regarding Claim 28, Kalavade and Gregg disclose the limitations of Claim 28 above. Kalavade further discloses wherein the computing system further includes a hardware token to provide a second key to encrypt the bulk encryption key (paragraph 0198).

Regarding Claim 29, Kalavade and Gregg disclose the limitations of Claim 20 above. Kalavade further discloses wherein the server is further to control access by the computing system to a service (paragraph 0017), the server to provide access to the service by the computing system upon authorization and authentication of the computing system using the SIM-compliant authentication, authorization and accounting capabilities (paragraph 0261).

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baotran N. To whose telephone number is (571)272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. N. T./

Examiner, Art Unit 2135

/H. S./

Primary Examiner, Art Unit 2135